

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **CLARIFICATION OF PROTEIN PRECIPITATE SUSPENSIONS USING ANIONIC POLYMERIC FLOCCULANTS**, the Specification of which was filed on **July 16, 1999** as Application Serial No. **09/354,493**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIORITY APPLICATION(S)			Priority Claimed
60/093,555 (Number)	U.S.A (Country)	July 21, 1998 (Date Filed)	Yes
			Yes/No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application: **none**.

I hereby direct that all correspondence and telephone calls be addressed to Patricia A. Kammerer, Arnold White & Durkee, P.O. Box 4433, Houston, Texas 77210, (713) 787-1400.

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Mark L. Chivers

Serial No.: 09/354,493

Filed: July 16, 1999

For: CLARIFICATION OF PROTEIN  
PRECIPITATE SUSPENSIONS USING  
ANIONIC POLYMERIC FLOCCULANTS

Group Art Unit: 1631

Examiner: BORIN, M.

Atty. Dkt. No.: 11916.0042.NPUS  
(MOPV042---/PAT)

**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73**  
**AND POWER OF ATTORNEY**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment submitted to the United States Patent and Trademark Office for recordation, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

T. K. Ball, Reg. No. 42,287; George R. Beck, Reg. No. 21,180; Gary M. Bond, Reg. No. 29,283; Grace L. Bonner, Reg. No. 32,963; Dennis R. Hoerner, Jr., Reg. No. 30,914; Thomas E. Kelley, Reg. No. 29,938; Lawrence M. Lavin, Jr., Reg. No. 30,768; Thomas P. McBride, Reg. No. 32,706; Michael J. Roth, Reg. No. 29,342; Donna E. Scherer, Reg. No. 34,719; Brian K. Stierwalt, Reg. No. 33,213; Joseph A. Schaper, Reg. No. 30,493; Martha J. Yates, Reg. No. 47,194; Jian Zhou, Reg. No. 41,422; E. Clifford Lawson, Reg. No. 46,860; Christopher E. Flick, Reg. No. 42,538; Alissa M. Eagle, Reg. No. 37,126; and Linda T. Parker, Reg. No. 46,046; each an attorney or patent agent with MONSANTO COMPANY, so long as they remain with such company,

and

John F. Lynch, Reg. No. 22,504; J. Paul Williamson, Reg. No. 29,600; John D. Norris, Reg. No. 28,246; Patricia A. Kammerer, Reg. No. 29,775; Stephen H. Cagle, Reg. No. 26,445;

Power of Attorney

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37-21(10296)B US

Melinda L. Patterson, Reg. No. 33,062; Susan K. Knoll, Reg. No. 33,254; Janelle D. Waack, Reg. No. 36,300; Michael E. Lee, Reg. No. 38,949; Ira D. Finkelstein, Reg. No. 44,680; Carter J. White, Reg. No. 41,374; Darrell Dotson, Reg. No. 44,661; Connie Flores-Jones, Reg. No. 41,755; Matthew L. Madsen, Reg. No. 45,594; Robert Auerbach, Reg. No. 46,525 and Scott Reese, Reg. No. 47,891

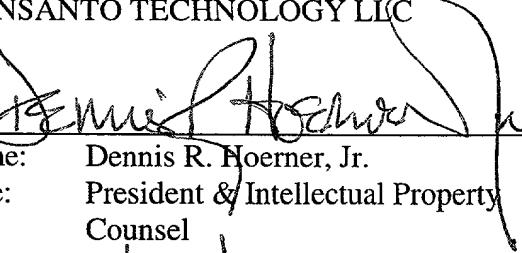
each an attorney or patent agent of the firm of HOWREY SIMON ARNOLD & WHITE, LLP, as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to MONSANTO TECHNOLOGY LLC, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Matthew L. Madsen  
HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400

ASSIGNEE:  
MONSANTO TECHNOLOGY LLC

By:   
Name: Dennis R. Hoerner, Jr.  
Title: President & Intellectual Property Counsel

Date: 8/24/2001

ASSIGNMENT:

Previously submitted for recordation